

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
W. R. GRACE & CO., <u>et al.</u> ,)	Case No. 01-01139 (JKF)
)	Jointly Administered
Debtors.)	

**NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON OCTOBER 18, 2004 AT 9:00 A.M.
AND OCTOBER 19, 2004 AT 9:00 A.M., IN PITTSBURGH,
PENNSYLVANIA BEFORE THE HONORABLE JUDITH K. FITZGERALD**

CONTESTED MATTERS¹

1. W. R. Grace & Co.'s Motion for Summary Judgment (Docket No. 4009) **Volume 1, Tab 1.**

Related Documents:

- a. Brief of W. R. Grace & Co. In Support of Motion for Summary Judgment (Docket No. 4009) **Volume 1, Tab 1(A).**
- b. [Proposed] Order Granting Brief of W. R. Grace & Co. In Support of Motion for Summary Judgment (Docket No. 4009) **Volume 1, Tab 1(B).**
- c. Appendix to W. R. Grace & Co.'s Motion for Summary Judgment (Volume 1 of 2) (Docket No. 4011) **Volume 1, Tab 1(C) [Exhibits A to F, including Expert Reports of Dr. Elizabeth L. Anderson (E) and Dr. Morton Corn (F)].**
- d. Appendix to W. R. Grace & Co.'s Motion for Summary Judgment (Volume 2 of 2) (Docket No. 4013) **Volume 2, Tab 1(D) [Exhibits G to V, including Expert Reports of Dr. Richard Lee (G), Dr. William A. Hughson (H), and Dr. E.B. Ilgren (S)].**
- e. Amended Notice of W. R. Grace & Co.'s Motion for Summary Judgment (Docket No. 4070) **Volume 2, Tab 1(E).**

Responses Received:

- a. United States' Statement Regarding Asbestos Analysis Issues in W. R. Grace's Motion for Summary Judgment and Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4173) **Volume 2, Tab A.**

¹ Parenthetical References are to the Court's Binders.

- b. Claimants' Response to W. R. Grace's Motion for Summary Judgment (Docket No. 4204) **Volume 2, Tab B.**
 - i. Notice of Filing of Exhibits 1 through 29 [Re: Claimants' Response to W. R. Grace's Motion for Summary Judgment] (Docket No. 4215) **Volume 3 [including Expert Reports of Richard Hatfield and Dr. William Longo (NO. 24)].**
 - ii. Notice of Filing of Exhibits 30 through 60 [Re: Claimants' Response to W. R. Grace's Motion for Summary Judgment] (Docket No. 4216) **Volume 3, Exhibits 30-50 and Volume 4, Exhibits 51-60 [including Expert Report of William M. Ewing (No. 47)].**
 - iii. Notice of Filing of Exhibits 61 through 89 [Re: Claimants' Response to W. R. Grace's Motion for Summary Judgment] (Docket No. 4217) **Volume 4, Exhibits 61-89.**
 - c. Reply of W. R. Grace & Co. to United States' Statement Regarding Asbestos Analysis Issues in W. R. Grace's Motion for Summary Judgment and Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4296) **Volume 5, Tab C.**
 - d. Reply of W. R. Grace & Co. to ZAI Claimants' Response to Grace's Motion for Summary Judgment (Docket No. 4298) **Volume 5, Tab D.**
 - i. Appendix to Reply of W. R. Grace & Co. to ZAI Claimants' Response to Grace's Motion for Summary Judgment (Docket No. 4298) **Volume 5, A-E.**
2. Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4022) **Volume 6, Tab 2.**

Related Documents:

- a. Memorandum in Support of the Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4022) **Volume 6, Tab 2(A).**
- b. Attachments 1 through 11 Re: Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4022) **Volume 6, Tab 2(B).**
- c. Attachments 12 through 22 Re: Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4023) **Volume 7, Tab 2(C).**
- d. Attachments 23 through 33 Re: Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4025) **Volume 7, Tab 2(D).**

Responses Received:

- a. United States' Statement Regarding Asbestos Analysis Issues in W. R. Grace's Motion for Summary Judgment and Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4173) **Volume 8, Tab A.**
 - b. Opposition of W. R. Grace & Co. to Claimants' Motion to Exclude Dr. R. J. Lee's Opinion on Cleavage Fragments (Docket No. 4206) **Volume 8, Tab B.**
 - i. Affidavit of Richard J. Lee, Ph.D. (Docket No. 4206) **Volume 8, Tab B.**
 - ii. Exhibit 1 to the Affidavit of Richard J. Lee, Ph.D. (Docket No. 4206) **Volume 8, Tab B.**
 - iii. Exhibits 2 Through 13 to the Affidavit of Richard J. Lee, Ph.D. (Docket No. 4207) **Volume 8, Tab B.**
 - iv. Exhibits 14 Through 20 to the Affidavit of Richard J. Lee, Ph.D. (Docket No. 4208) **Volume 8, Tab B.**
 - v. Exhibits 21 Through 26 to the Affidavit of Richard J. Lee, Ph.D. (Docket No. 4209) **Volume 8, Tab B.**
 - c. Claimants' Reply to W. R. Grace's Response to Claimants' Motion to Exclude Dr. R. J. Lee's Opinion on Cleavage Fragments (Docket No. 4293) **Volume 8, Tab C.**
 - d. Reply of W. R. Grace & Co. to United States' Statement Regarding Asbestos Analysis Issues in W. R. Grace's Motion for Summary Judgment and Claimants' Motion to Exclude Dr. R.J. Lee's Opinion on Cleavage Fragments (Docket No. 4296) **Volume 8, Tab D.**
3. ZAI Claimants' Motion for Summary Judgment [Re: issues that: (1) ZAI can contaminate Homes/Pose an Unreasonable Danger Upon Disturbance; and (2) ZAI Claimants have viable claims under tort and/or other legal theories] (Docket No. 4018) **Volume 9, Tab 3.**

Related Documents:

- a. Memorandum in Support of the ZAI Claimants' Motion for Summary Judgment (Docket No. 4018) **Volume 9, Tab 3(A).**
- b. Attachments 1 Through 27 to Memorandum in Support of the ZAI Claimants' Motion for Summary Judgment (Docket No. 4018) **Volume 9, Tab 3(B).**
- c. Attachments 28 Through 54 to Memorandum in Support of the ZAI Claimants' Motion for Summary Judgment (Docket No. 4019) **Volume 10, Tab 3(C).**

- d. Attachments 55 Through 94 to Memorandum in Support of the ZAI Claimants' Motion for Summary Judgment (Docket No. 4020) **Volume 10, Tab 3(D).**

Responses Received:

- a. Opposition of W. R. Grace & Co. to Claimants' Motion for Summary Judgment (Docket No. 4205) **Volume 11, Tab A.**
- b. Claimants' Reply to W. R. Grace's Response to Claimants' Motion for Summary Judgment (Docket No. 4294) **Volume 11, Tab B.**
 - i. Attachments 1-22 to Claimants' Reply to W. R. Grace's Response to Claimants' Motion for Summary Judgment (Docket No. 4306) **Volume 11, Tab B.**
- 4. Zonolite Attic Insulation Claimants' Motion for Partial Summary Judgment (Docket No. 4007) **Volume 12, Tab 4.**

Related Documents:

- a. Zonolite Attic Insulation Claimants' Memorandum in Support of Motion for Partial Summary Judgment Re: W. R. Grace's Consumer Protection Liability (Docket No. 4007) **Volume 12, Tab 4(A).**
- b. Declaration of Danell W. Scott in support of Zonolite Attic Insulation Claimants' Memorandum in Support of Motion for Partial Summary Judgment Re: W. R. Grace's Consumer Protection Liability (Docket No. 4007) **Volume 12, Tab 4(B).**
- c. Corrected Zonolite Attic Insulation Claimants' Memorandum in Support of Motion for Partial Summary Judgment Re: W. R. Grace's Consumer Protection Liability (Docket No. 4028) **Volume 12, Tab 4(C).**
- d. Corrected Appendices to Zonolite Attic Insulation Claimants' Memorandum in Support of Motion for Partial Summary Judgment Re: W. R. Grace's Consumer Protection Liability (Docket No. 4028) **Volume 12, Tab 4(D).**

Responses Received:

- a. Grace's Memorandum in Opposition to ZAI Claimants' Motion for Partial Summary Judgment Regarding Consumer Protection Act Claims (Docket No. 4175) **Volume 12, Tab A.**
- b. Zonolite Attic Insulation Claimants' Reply to Grace's Memorandum in Opposition to ZAI Claimants' Motion for Partial Summary Judgment Re: W. R. Grace's Consumer Protection Liability (Docket No. 4291) **Volume 12, Tab B.**

5. Debtors' Motion *In Limine* to Exclude Evidence of Any Alleged Damages from the ZAI Science Trial (Docket No. 4012) Volume 13, Tab 5.

Related Documents:

- a. Memorandum in Support of Debtors' Motion *In Limine* to Exclude Evidence of Any Alleged Damages From the ZAI Science Trial (Docket No. 4012) Volume 13, Tab 5(A).
- b. [Proposed] Order Granting Debtors' Motion *In Limine* to Exclude Evidence of Any Alleged Damages from the ZAI Science Trial (Docket No. 4012) Volume 13, Tab 5(B).
- c. Amended Notice of Debtors' Motion *In Limine* to Exclude Evidence of Any Alleged Damages from the ZAI Science Trial (Docket No. 4072) Volume 13, Tab 5(C).

Responses Received:

- a. Response of ZAI Claimants' to Debtors Motion *In Limine* to Exclude Evidence of Any Alleged Damages from the ZAI Science Trial (Docket No. 4202) Volume 13, Tab 5(A).
 - i. Appendix to Response of ZAI Claimants' to Debtors Motion *In Limine* to Exclude Evidence of Any Alleged Damages from the ZAI Science Trial (Docket No. 4202) Volume 13, Tab A.
 - b. Reply in Support of Debtors' Motion *In Limine* to Exclude Evidence of Any Alleged Damages from the ZAI Science Trial (Docket No. 4297) Volume 13, Tab B.
6. Debtors' Motion to Consolidate the Actions of ZAI Claimants Pursuant to Rule 42 (Docket No. 4010) Volume 13, Tab 6.

Related Documents:

- a. [Proposed] Order Granting Debtors' Motion to Consolidate the Actions of ZAI Claimants Pursuant to Rule 42 (Docket No. 4010) Volume 13, Tab 6(A).
- b. Amended Notice of Debtors' Motion to Consolidate the Actions of ZAI Claimants Pursuant to Rule 42 (Docket No. 4071) Volume 13, Tab 6(B).

Responses Received:

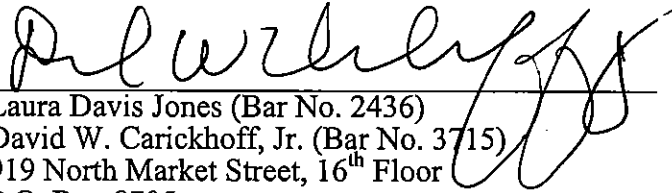
- a. Claimants' Response to Debtors' Motion to Consolidate the Actions of ZAI Claimants Pursuant to Rule 42 (Docket No. 4203) Volume 13, Tab A.

Dated: October 7, 2004

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